

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TERESA STRINGER, KAREN BROOKS,
WILLIAM PAPANIA, JAYNE NEWTON,
MENACHEM LANDA, ANDREA
ELIASON, BRANDON LANE, DEBBIE
O’CONNOR, MICHELLE WILLIAMS and
WAYNE BALNICKI, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

NISSAN OF NORTH AMERICA, INC. and
NISSAN MOTOR CO., LTD.

Defendants.

Case No. 3:21-cv-00099

CLASS ACTION

District Judge William L. Campbell
Courtroom A826
Magistrate Judge Barbara D. Holmes
Courtroom 764

JURY TRIAL DEMANDED

**JOINT MOTION REGARDING CLAIM FORMS TRANSMITTED
TO THE COURT FROM PUTATIVE CLASS MEMBERS**

Plaintiffs, through the undersigned Co-Lead Class Counsel and Defendant Nissan North America, Inc. (“Nissan” and collectively, the “Parties”), respectfully move the Court for an order governing the process of handling Claim Forms including supplemental materials attached in support thereof (“Claim Forms”) transmitted directly to the Court from putative class members in connection with the proposed class action settlement. As grounds therefore, the Parties state:

On October 13, 2021, the Court granted preliminary approval to the proposed class settlement in this case. The preliminary approval order appointed Kurtzman Carson Consultants, LLC (“KCC”) as the Settlement Administrator, and directed KCC to provide the approved notice to members of the settlement class and handle claims and communications with the class. The final approval hearing is scheduled for March 21, 2022.

The Parties are aware that this Court has received a number of Claim Forms that putative class members have erroneously sent directly to the Court, notwithstanding that the notices sent to class members, the settlement website, and other materials clearly advised class members that claim forms are to be submitted to the Settlement Administrator, KCC, for review and handling, rather than sent to the Court. Although the vast majority of claims have been submitted to KCC (either on paper or electronically through the official settlement website), the sending of some claim forms directly to the Court has placed an inappropriate and unanticipated burden on the Court.

The Court has filed these Claim Forms into the record, and the Parties recognize the need to have an efficient process to handle these Claim Forms to protect the personal information contained therein and to manage the information contained in the Claim Forms. The Parties have conferred and believe that the solution to this problem is for the Court to issue an Order providing that Claim Forms will no longer be accepted for filing in the case docket, that those Claim Forms already filed will be removed from the docket in order to protect the personal information contained therein, that those Claim Forms already filed will be provided to KCC, and that Claim Forms mistakenly transmitted to the Court in the future will be periodically bundled and provided to KCC for processing.

As such, the Parties seek an Order directing:

1. Claim Forms sent directly to the Court by putative class members will no longer be accepted for filing.
2. Claim Forms that have been previously filed will be removed from the docket in order to protect the personal information contained therein.

3. Claim Forms that have been previously filed will be transmitted by the Court to the Settlement Administrator, Kurtzman Carson Consultants, LLC (“KCC”). Such Claim Forms will be sent to KCC by regular mail at the following address:

Stringer v. Nissan North America Settlement Administrator
P.O. Box 43514
Providence, RI 02940-3514

4. Going forward, all Claim Forms received by the Court directly from putative class members shall be periodically sent to KCC by regular mail at the above address.

Wherefore, in order to promote judicial economy and expediency, the Parties respectfully submit this Motion. A Proposed Order is submitted simultaneously with this Joint Motion.

Respectfully submitted,

Dated: February 23, 2022

By: s/ J. Gerard Stranch, IV
J. Gerard Stranch, IV
Benjamin A. Gastel
BRANSTETTER STRANCH & JENNINGS PLLC
223 Rosa L. Parks Avenue, Suite 200
Nashville, TN 37203
Tel: 615-254-8801
gerards@bsjfirm.com
beng@bsjfirm.com

Mark S. Greenstone (*pro hac vice*)
GREENSTONE LAW APC
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
Telephone: (310) 201-9156
Facsimile: (310) 201-9160
mgreenstone@greenstonelaw.com

Marc L. Godino (*pro hac vice*)
GLANCY PRONGAY & MURRAY LLP
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
mgodino@glancylaw.com

Co-Lead Class Counsel

BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, P.C.

By: /s/ John S. Hicks

John S. Hicks (BPR No. 010478)

jhicks@bakerdonelson.com

1600 West End, Suite 2000

Nashville, Tennessee 37203

(615) 726-5600

(615) 744-7337 (fax)

FAEGRE DRINKER BIDDLE & REATH LLP

E. Paul Cauley, Jr. (admitted *pro hac vice*)

paul.cauley@faegredrinker.com

S. Vance Wittie (admitted *pro hac vice*)

vance.wittie@faegredrinker.com

1717 Main Street, Suite 5400

Dallas, Texas 75201

(469) 357-2500

(469) 327-0860 (fax)

Bradley J. Andreozzi (admitted *pro hac vice*)

bradley.andreozzi@faegredrinker.com

320 S. Canal St., Suite 3300

Chicago, Illinois 60606

(312) 569-1000

(312) 569-3000 (fax)

Attorneys for Defendant Nissan North America, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies the foregoing document was filed with the Court's Case Management/Electronic Case Filing System, this 23rd day of February, 2022, and served upon the following counsel:

Danielle Manning
Glancy Prongay & Murray LLP
1925 Century Park East
Suite 2100
Los Angeles, CA 90067
Email: dmanning@glancylaw.com

Bradley J. Andreozzi
Faegre Drinker Biddle & Reath, LLP (Chicago Office)
191 N. Wacker Dr.
Chicago, IL 60606
Email: bradley.andreozzi@faegredrinker.com

E. Paul Cauley, Jr.
W. Vance Wittie
Faegre Drinker, Biddle & Reath, LLP (Dallas Office)
1717 Main Street
Suite 5400
Dallas, TX 75201
Email: paul.cauley@faegredrinker.com
Email: vance.wittie@faegredrinker.com

John S. Hicks
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (Nash)
211 Commerce Street
Suite 800
Nashville, TN 37201
Email: jhicks@bakerdonelson.com

By: /s/ J. Gerard Stranch, IV
J. Gerard. Stranch, IV